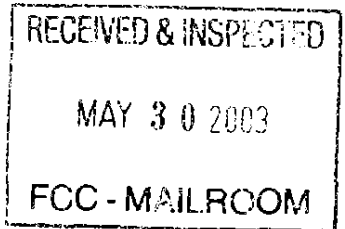


Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554

In the matter of)
Amendment of Section 73.202 (b),) MB Docket No. _____
Table of Allotments)
FM Broadcast Stations) RM- _____
(Cumberland Head, New York))



PETITION FOR RULEMAKING

To the Chief, Allocations Branch:

Dana J. Puopolo ("Petitioner") respectfully requests the Commission initiate a rulemaking proceeding for the purpose of considering amending Section 73.202(b) of the Commission's rules. In support whereof the following is stated:

2. Petitioner proposes the Commission allot FM channel 264A to Cumberland Head, New York as its first aural service. This would require amending Section 73.202(b) of the Commission's rules as follows:

<u>Community</u>	<u>Present</u>	<u>Proposed</u>
Cumberland Head, NY	-	264A

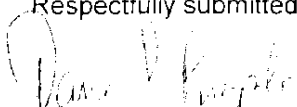
3. Cumberland Head is a Census Designated Place located in Northern New York. It is located in Clinton county. In 2000 the United States Census Bureau estimated Cumberland Head had a population of 1698 persons.

4. FM channel 264A can be assigned to Cumberland Head in full compliance with the Commission's minimum distance separation requirements for domestic stations. This is illustrated by the attached spacing study. Coordinates used are N 44:43:12, W 73:19:12 and are located approximately 8 Km east of Cumberland Head. This site restriction is necessary to prevent a short spacing with a vacant allotment at Minerva, NY. The proposed allotment is 11 Km short spaced to Canadian station CBFFM Montreal, QU, CA. Petitioner respectfully requests the Commission seek Canadian concurrence as a specially negotiated short spaced allotment.

5. Petitioner, or an entity with which he is affiliated, intends to apply for a construction permit to activate channel 264A if it is assigned to Cumberland Head as proposed. If his application is granted, he shall promptly construct and operate the proposed station.

6. Petitioner hereby verifies and affirms that the statements given in this petition for rulemaking are his, and are accurate to the best of his knowledge.

Respectfully submitted,


Dana J. Puopolo
2134 Oak St., Unit #C
Santa Monica, CA 90405
May 21, 2003

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List A B C D E
MB 03-125

Cumberland Head, NY

FM Spacing Study Channel 264A Cumberland Head, NY

CHAN	FREQ	CALL	LOCATION		DIST	REQ	CLEAR	COMMENT
211A	90.1	WRUV	BURLINGTON	VT US	28	5	23	
261C1	100.1	ALLOC	TROIS-RIVIERES	QU CA	191	87	104	
261C1	100.1	ALLOC	TROIS-RIVIERES	QU CA	204	87	117	
261A	100.1	ALLOC	MONTREAL	QU CA	90	39	51	
262B1	100.3	WKBE	WARRENSBURG	NY US	149	48	101	
262A	100.3	RM	MAGOG	QU CA	110	40	70	
262A	100.3	ALLOC	BARTON	VT US	91	31	60	
262A	100.3	RM	SHERBROOKE	QU CA	133	40	93	
262A	100.3	ALLOC	MAGOG	QU CA	11	40	70	
263C3	100.5	WXXK	LEBANON	NH US	44	89	55	
264C1	100.7	CBFFM	MONTREAL	QU CA	90	101	-11	See note #3
264A	100.7	WVAY	WILMINGTON	VT US	198	115	83	
264A	100.7	ALLOC	MINERVA	NY US	115	115	0	
264C3	100.7	WTBM	MEXICO	ME US	214	142	72	
265C3	100.9	WWFY	BERLIN	VT US	94	89	5	
266B	101.1	CBF10F	SHERBROOKE	QU CA	139	67	72	
267A	101.3	WYKRFM	HAVERHILL	NH US	126	31	95	
267A	101.3	WCPV	ESSEX	NY US	36	31	5	

Notes:

1. All spacings are in kilometers.
2. Only stations which clear by less than 120 km are shown.
3. Negotiation with Canada Requested

